

REMARKS

In the Office Action mailed January 17, 2007 from the United States Patent and Trademark Office, the Examiner required a new copy of Figure 4 because the Figure submitted with the Application was marked up manually. The Examiner also rejected claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0059204 to Harris (hereinafter "Harris"). Applicants therefore respectfully provide the following.

Drawings:

Applicants submit herewith a replacement sheet containing Figure 4 in formal form. Applicants therefore respectfully request withdrawal of the requirement for corrected drawings.

Rejections under 35 U.S.C. § 102(e):

M.P.E.P. 2131 sets forth the standard for a rejection of a claim as anticipated under 35 U.S.C. § 102. "To anticipate a claim, the reference must teach every element of the claim."

M.P.E.P. 2131 states further,

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). . . . "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants respectfully submit that the reference cited by the Examiner fails to teach every element of the claim set as provided herein for the following reasons.

Independent claim 1 requires: "A method of querying data comprising: initiating a manager module including registering talents on a database; receiving a request to perform a requested task and routing the request to the manager module; analyzing the database to

determine if the requested task is available; and if the talent is available, performing the following: transferring the request to at least one talent agent that corresponds with the requested task; and performing the requested task.” Harris fails to teach all limitations of this claim.

Instead, Harris teaches a system for Internet-type searching that relies on a customized dictionary associated with each data source that translates general queries into a customized query compatible with the associated data source to improve searching on the associated data source. (Abstract) While the customized query searching of Harris improves the quality of the search results returned, Harris fails to teach all elements of claim 1. In the Office Action, the Examiner indicated that Harris teaches the claimed “initiating a manager module including registering talents on a database,” citing as analogous the customized dictionaries taught by Harris. (Paragraph [0008]) However, if the customized dictionaries of Harris are interpreted as being the claimed “manager module,” then the remaining portions of claim 1 become impossible to perform using the system taught by Harris. Specifically, the Examiner cited paragraph [0031] as teaching the claimed limitation of “if the talent is available, performing the following: transferring the request to at least one talent agent that corresponds with the requested task.” (Emphasis added.) The cited paragraph, however, has nothing to do with the request, but deals instead with the results of the search being sent back to the originator of the search request.

The cited language of paragraph [0031] provides:

For example, the query results 108 can be transferred to the entity that supplied the query information 106, or another entity can be designated to receive the query results 108. As indicated previously herein, FIG. 1 illustrates the principles of the methods and systems which have wide applicability.

(Emphasis added.) As may be seen by reference to Figure 1, the transmitted query results 106 are clearly shown as being returned rather than a request being sent to a talent agent corresponding with the requested task. As may be further appreciated by reference to Figure 1

and Figure 2 of Harris, there is nothing showing the transfer of the request to a talent agent corresponding with the requested task. Therefore, for at least the above reasons, independent claim 1 is not anticipated by Harris.

Independent claim 12 requires “A data query module comprising: at least one manager module configured to compile information from a database about available talents and to broadcast at least one task request to an agent that is shown to correspond to the task request in the database; at least one agent capable of performing at least one talent, and wherein the agent is configured to record an expression of available talents onto the database; and at least one database including information about available talents and their corresponding agents.” Harris also fails to teach every limitation of claim 12, which is therefore not anticipated under 35 U.S.C. § 102. In rejecting claim 12, the Examiner failed to show the manager broadcasting the task request to an agent corresponding to the task request wherein the agent is “configured to record an expression of available talents onto the database” of correspondence data between agents and available talents. Instead, the Examiner again relied on paragraphs discussing the returning of results by the customized dictionaries. (See paragraphs [0050]-[0051].) Therefore, Harris also fails to anticipate independent claim 12 for at least these reasons.

Independent claim 23 requires “A data query module comprising: A plurality of manager modules configured to compile information from a database about available talents and to broadcast at least one task request to a talent agent that is shown to correspond to the task request in the configuration database, wherein the plurality of manager modules distribute processes and can assume additional responsibilities if one of the plurality of manager modules fails; at least one talent agent configured to record an expression of available talents onto the database, wherein each talent agent further includes at least one talent provider capable of performing a

particular talent; and a configuration database including information about available talents and their corresponding talent agents.” Claim 23, therefore, contains the limitations discussed above regarding claim 12, and is similarly allowable. In addition, claim 23 also includes additional limitations further distinguishing over Harris.

Specifically, claim 23 requires that the manager modules can “assume additional responsibilities” if one of the other manager modules fails, and also requires that each talent agent further includes at least one talent provider. These additional limitations are not taught by Harris. In the Office Action, the Examiner did not provide citations to any other portions of Harris beyond those cited in the rejection of claim 12. Harris teaches a one-to-one correlation of the customized dictionaries and the data sources (see Figure 2), and does not teach that one dictionary can assume additional responsibilities if one of the other dictionaries fails. Therefore, Harris fails to teach the claimed capability of the manager modules. Harris also fails to teach talent agents that include at least one talent provider. Therefore, for these additional reasons, Harris fails to anticipate claim 23.


Claims 2-11, 13-22, and 24-26 depend from one of claims 1, 12, and 23, respectively, and add additional limitations to allowable subject matter. These claims are therefore allowable for at least the same reasons as those discussed above. For at least these reasons, Applicants respectfully request removal of the rejections of claims 1-26 under 35 U.S.C. § 102(e).

CONCLUSION

Applicant(s) submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant(s) requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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